

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MADISON STOCK TRANSFER, INC.

Plaintiff,
-against-

NETCO INVESTMENTS, INC.
MARCO CHAVARRIA, AJW
PARTNERS, LLC, NEW MILLENIUM
CAPITAL PARTNERS II, LLC, AJW
OFFSHORE, LTD. And AJW QUALIFIED
PARTNERS, LLC.,

Defendants.
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MEMORANDUM AND
ORDER

CV 06-3926
(Wexler, J.)

APPEARANCES:

MARSHALL SCHICTMAN & ASSOCIATES.
BY: MARSHALL SCHICTMAN, ESQ.
Attorneys for Plaintiff
One Old Country Road, Suite 498
Carle Place, NY 11514

SCOTT R. COHEN, ESQ.
Attorney for Defendant NetCo Investments, Inc.
One Old Country Road,
Carle Place, NY 11514

MARCO CHAVARRIA
Defendant Pro Se
Apartado 3124-1000
San Jose
Costa Rica

OLSHAN GRUNDMAN FROME ROSENZWEIG & WOLOSKY LLP
BY: HERBERT C. ROSS, ESQ.
Attorneys for Interveners/Defendants

AJW Partners, LLC, New Millenium Capital Partners, LLP
AJW Offshore, Ltd., and Qualified Partners, LLC
65 East 55th Street
New York, New York 10022

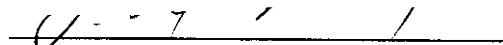
WEXLER, District Judge

This is an interpleader action commenced pursuant to 28 U.S.C. §1335, by Plaintiff Madison Stock Transfer, Inc. ("Madison"). Presently before the court is Chavarria's appeal of an order of Magistrate Judge Wall dated January 28, 2007 (the "January 28 Order").

The January 28 Order requires Chavarria to produce documents, appear for a deposition and pay \$300 in expenses pursuant to Rule 37(a)(5)(A). Pursuant to Rule 72 of the Federal Rules of Civil Procedure this court shall modify or set aside any part of the order appealed from that is "clearly erroneous or contrary to law." FRCP 72(a).

Upon review of the January 28 Order and the submissions of the parties, the court holds that the order appealed from should be affirmed. Accordingly, the objections to the January 28, 2007 order of Magistrate Judge Wall are hereby overruled and the order is affirmed. The Clerk of the Court is direction to terminate the appeal.

SO ORDERED.


LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
February 28, 2008